

REMARKS

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. These amendments to the claims constitute a bona fide attempt to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. The specification has also been amended to correct a typographical error.

In the Office Action mailed December 12, 2005, the Examiner rejected claims 1-5, 9-11, 13, 16-20, 24 and 25 under 35 U.S.C. §102 (b) as being anticipated by Wolff et al. (USP 6,618,605; “Wolff”). The Examiner next rejected claims 6-8, 14, 15, 22 and 23 under 35 U.S.C. §103(a) as being unpatentable over Wolff as applied to claims 1, 10, 16 and 24 above, and further in view of Foltz et al. (USP 6,094,591; “Foltz”). Claims 12 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wolff as applied to claims 10 and 16 above, and further in view of Hardy et al. (USP 5,192,909; “Hardy”). These rejections are respectfully, but most strenuously, traversed.

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since the Office Action’s citations to each of the applied references is missing at least one element of each of Applicants’ independent claims, Applicants respectfully submit that the claimed invention is not anticipated by the Office Action’s citations to the applied references, as further discussed below.

Applicants respectfully submit that the Office Action’s citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Office Action’s citations to the applied references is proper, do not teach or suggest one or more elements of the claimed invention, as further discussed below.

For explanatory purposes, Applicants discuss herein one or more differences between the Office Action’s citations to the applied references and the claimed invention with reference to one or more parts of the applied references. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Office Action’s citations to the applied references correspond to the claimed invention.

Applicants respectfully submit that the Office Action's citations to the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the Office Action's citations to the applied reference fails to teach or suggest, for example, the number of non-selective RF pulses played out after a slice selective pulse to suppress magnetization of static spins within an ROI and an imaging pulse played out after the number of non-selective RF pulses to excite inflowing spins to the ROI.

Wolff discloses a preparatory technique that includes a series of notched RF pulses. Specifically, "each data acquisition 90 follows an RF saturation pulse, but in order to attain a longer TI time, a notched RF saturation pulse is used, as best shown in FIG. 3, wherein the profiles of the saturation pulses 72, 74, and 76 are shown spatially with respect to a plurality of slice locations 84. Each of the saturation pulses 72-76 have a stop-band 86 between a pair of pass-bands 88 so that the spins of the next slice location to be scanned are located within the stop-band of the pulse and are unaffected by the RF saturation pulse." Col. 6, ll. 9-18. Moreover, Wolff discloses that "[t]he magnetization of the spins within the immediate slice are not perturbed and only the spins that are outside the slice location experience this saturation pulse." Col. 6, ll. 20-23 (emphasis added).

Thus, Wolff explicitly discloses an imaging technique different from that being claimed in the present application. Specifically, Wolff explicitly discloses that spins within an ROI (spatially selected region) are unaffected by the notched RF pulses. The spins outside the ROI experience saturation. Therefore, Wolff fails to disclose non-selective RF pulses that "suppress magnetization of static spins within an ROI."

Moreover, the magnetization suppressing pulses disclosed by Wolff are, in fact, slice-selective. Specifically, the disclosed notch pulses are selective so as to saturate spins from all slice locations other than the slice locations to be imaged. Therefore, the art of record fails to disclose non-selective RF pulses, as called for in claim 1.

Regarding the rejection of claims 10, 16 and 24, Applicant refers Examiner to the remarks made above with respect to claim 1. Additionally, regarding the rejections under 35 U.S.C. §103, Applicant respectfully disagrees with the Examiner with respect to the

art as applied, but in light of claims 6-8, 12, 14, and 21-23 depending from what are believed otherwise allowable claims, Applicant does not believe additional remarks are necessary and therefore requests allowance of claims 6-8, 12, 14, and 21-23 based on the chain of dependency.

Withdrawal of the §§ 102 and 103 rejections is therefore respectfully requested.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-25.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

/J. Mark Wilkinson/

J. Mark Wilkinson
Registration No. 48,865
Direct Dial 262-376-5016
jmw@zpspatents.com

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P.O. ADDRESS:

Ziolkowski Patent Solutions Group, SC
14135 North Cedarburg Road
Mequon, WI 53097-1416
262-376-5170